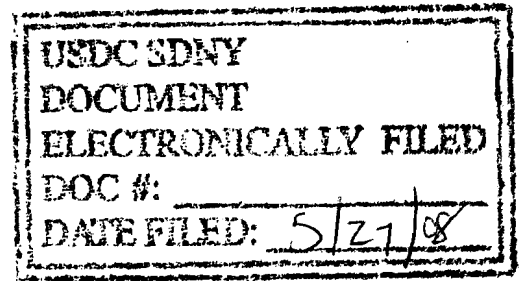


Wednesday, May 21, 2008

Walter R. Lipscomb
458 Prospect Place, apt. 1F
Brooklyn, NY 11238

Andrez Carberry
100 Church St. Room 2-300
New York NY 10007



MEMO ENDORSED

Re: Lipscomb v. City of New York
07 Civ. 4603 (PKC) (FM)

Dear Mr. Carberry:

I am writing this letter to request that you cease from sending any correspondence relative to my case to John Upton. Mr. Upton will no longer be affiliated with this case.

Please forward all future correspondence and documentation to my address until advised to do otherwise. Your cooperation is greatly appreciated in this matter.

Best regards,

Walter R. Lipscomb

Walter R. Lipscomb

cc: Judge P. Kevin Castel, United States

Judge Castel assigned this case to me for all pretrial purposes. Accordingly, an application to relieve counsel of further responsibilities should have been addressed to me. In any event, a District Judge cannot simply fire counsel. The consent of the Court is required. See local Civil Rule 1.4. There is no indication in this letter that Mr. Upton has been advised that Mr. Lipscomb wishes to disaffiliates him from this case. Consequently, the Court will hold a telephone conference on June 3, 2008, at 10am to discuss Mr. Lipscomb's request. Mr. Lipscomb is directed to participate in that call which Mr. Upton shall initiate. If Mr. Upton wishes to be relieved, he should serve and file his motion by June 2, 2008.

May 27 2008 0:30 P.02

Fax: 2127880940

NYC LHM DEPARTMENT 5/27/08